



Department of
Agriculture and Fisheries

Our reference: 003/0008264

Your reference: 2021NA0011

10 May 2022

The Nature Conservancy Limited as trustee for The Nature Conservancy Australia Trust
C/O Bobbie Corbett
PO Box 833
NORTH MELBOURNE VIC 3051

b.corbett@coastalmanagement.com.au

Attention: Bobbie Corbett

Dear Bobbie,

Decision – Application under the *Fisheries Act 1994* and the Fisheries (General) Regulation for a resource allocation authority to interfere with a declared Fish Habitat Area.

Proposal:	Noosa Oyster Ecosystem Restoration Project (Phase I), Noosa - Works within declared Fish Habitat Area (FHA) – Noosa River Area A
Location:	Noosa River, Noosa
Property Description:	Unallocated State Land, adjacent to Lot 35 on Plan MCH4795 Unallocated State Land, adjacent to Lot 326 on Plan CP855842

I refer to your application to Fisheries Queensland within the Department of Agriculture and Fisheries for a resource allocation authority (RAA) for interfering with the Noosa River declared Fish Habitat Area, management A area.

Fisheries Queensland has assessed your application and granted a resource allocation for specified prescribed development purpose(s) with conditions. Please find attached RAA number 2021NA0011.

It should be noted that this authority does not allow for any development to proceed within the approved area until a relevant development approval has been granted under the *Planning Act 2016*. The granting of this RAA does not guarantee or imply that a development approval or any other approval required to undertake the proposed works, will be granted. Any development approval applications will remain subject to assessment by the relevant agencies according to relevant legislation, policies and codes.

Under section 124 of the Fisheries Act 1994 the authority holder is required to reimburse DAF for any costs incurred by the chief executive in acting as a result of non-compliance with the conditions of this RAA.

The attached RAA does not authorise the use of seeded oyster cultch or translocation of oysters. However, nor does it prevent such activity if authorised separately through a General Fisheries Permit (GFP). Granting of this RAA does not guarantee or imply that an associated GFP will be approved.

Under the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal or Torres Strait Islander cultural heritage (the "cultural heritage duty of care"). The duty of care guidelines will help you determine whether or to what extent Aboriginal or Torres Strait Islander cultural heritage may be harmed by your activity. Information may be obtained from the Aboriginal and Torres Strait Islander Cultural Heritage Database and Register by undertaking a search request through the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DATSIP) online portal. To conduct a free search and obtain a copy of the duty of care guidelines, visit the website at www.datsip.qld.gov.au/ch. A person does not necessarily satisfy the cultural heritage duty of care simply by undertaking a search of the database and register. Consultation with the Aboriginal or Torres Strait Islander party for an area may be necessary if there is a high risk that the activity may result in harm. Should you require any further information about the management of Aboriginal or Torres Strait Islander cultural heritage, contact the Cultural Heritage Unit within DATSIP on 1300 378 401.

Internal review provides a way for people affected by certain decisions made by the Department under the *Fisheries Act 1994* to have those decisions reviewed. The review involves consideration of the statutory requirements for the original decision, findings of fact made by the decision maker and the reasons for the decision. You may make application to the Department for internal review within 28 days of receiving this notice. If, after internal review, you remain dissatisfied with the decision of the reviewing officer you can seek an external review by making application to the Queensland Civil and Administrative Tribunal (see www.qcat.qld.gov.au for further information).

If you require any further information regarding the above, please contact the Impact Assessment and Management team within Fisheries Queensland on telephone (07) 5381 1360 or by email to: planningassessment@daf.qld.gov.au.

Yours sincerely

A handwritten signature in black ink, reading 'Nikki Moore'. The signature is fluid and cursive, with the first name 'Nikki' and last name 'Moore' clearly distinguishable.

Nikki Moore
Manager, Impact Assessment and Management
Fisheries Queensland

Att: Resource Allocation Authority 2021NA0011

- Cc:** Department of Environment and Science
Coastal and Marine Assessment
PALM@des.qld.gov.au
- Cc:** Department of State Development, Infrastructure, Local Government and Planning
State Assessment and Referral Agency
South East Queensland (North) regional office
SEQNorthSARA@dsdmip.qld.gov.au
- Cc:** Queensland Boating and Fisheries Patrol, North Coast Cluster
District Manager, Pinkenba
District Officer, Mooloolaba
District Officer, Noosa
QBFP_NorthCoastCluster@daf.qld.gov.au



Department of
Agriculture and Fisheries

RESOURCE ALLOCATION AUTHORITY
Queensland Fisheries Act 1994, Fisheries (General) Regulation 2019

Authority Number: 2021NA0011

This is to certify that the authority holder:

The Nature Conservancy Limited (CAN 104 635 654) as trustee for The Nature Conservancy Australia Trust (ABN 83 243 328 398) (TNC Australia)

at the approved area described as:

- | | | |
|----|-----------------|--|
| 1) | Description: | 837 m ² Unallocated State Land within the Noosa River, adjacent to Lot 35 on Plan MCH4795 |
| | Street Address: | Adjacent to Goat Island Conservation Park, Noosa North Shore Qld 4565 |
| | Description: | 1,667 m ² Unallocated State Land within the Noosa River, adjacent to Lot 326 on Plan CP855842 |
| | Street Address: | Adjacent to 9 Pelican Street, Tewantin Qld 4565 |

is authorised to interfere with the Noosa River declared FHA for the prescribed development purpose/s of:

1. Restoring the fish habitat or natural processes.
2. Ensuring public health or safety (signs and navigation aids)
3. Researching, including monitoring, or educating (signs)

associated with:

- i. The placement of rock that may be augmented with cleaned and sterilised oyster shell to enable recruitment of oysters to provide substrate intended to trial the restoration of rock oyster ecosystems associated with Phase I of the Noosa Oyster Ecosystem Restoration Project.
- ii. The placement of signage if required for public education of the reefs and/or warning public of a safety or navigational hazard associated with the oyster reefs.
- iii. Within the allocated area shown on attached plan **Resource Allocation Authority within Noosa River declared Fish Habitat Area (FHA)**, dated 8 April 2022.

for the period 11 May 2022 until 30 September 2030.

Issued on 10 May 2022.

**Delegate of the
Chief Executive**

CONDITIONS

TIMING

- | | | |
|---|--|---|
| 1 | The resource allocation authority for the prescribed development purpose/s must be held and current for works to be carried out under a development permit that was issued under the <i>Planning Act 2016</i> and also remains current. | At all times |
| 2 | The authority holder must ensure all relevant approvals are held prior to the commencement of development or activities requiring approval. | At all times |
| 3 | Reef seeding with oyster spat settled onto dried oyster shell (cultch) to augment oyster recruitment is only permitted if and to the extent this is authorised under separate General Fisheries Permit issued under the <i>Fisheries Act 1994</i> . | At all times |
| 4 | The boundaries of the approved resource allocation authority area must be adequately marked (e.g. with corner pegs, or buoy markers) to allow for ease of identification. | Prior to commencement of works and until the placement of rock to form reef units and installation of signage is complete |
| 5 | The proposed development is to be designed and constructed to minimise any impacts to tidal lands, marine plants and the declared Fish Habitat Area. | At all times |
| 6 | This resource allocation authority is issued for necessary disturbances within the approved area only, and the works involved must be performed in such a manner as to not cause direct or indirect disturbance or damage to adjacent tidal land or plants or unnecessary disturbance within the approved area. | At all times |
| 7 | Fish habitats and natural processes that may be temporarily disturbed must be restored. | On completion of each temporary disturbance |
| 8 | (a) Only signs for safety and/or to warn of navigational hazard and/or for education purposes associated with the restoration works are permitted and if installed signs must be maintained in good order.

(b) Any wording included on the signs must be consistent with the permitted development and associated activity and the permissible management of this development/activity within the Noosa River declared Fish Habitat Area.

(c) The authority holder or their agent is responsible for any enquiries directed by the sign. | At all times |
| 9 | Report to the Department of Agriculture and Fisheries in writing to planningassessment@daf.qld.gov.au on the progress achieved towards oyster reef restoration, including:

(a) Success of oyster recruitment to reefs with reference to the following:


<i>Number of total live oysters per m² on average across reefs at each site</i>

<i>Number of distinct age classes of oysters present</i>

And discuss the

- density and distribution of oyster recruits

- measures of epifauna on reefs compared to surrounding habitats | Annually by 30 June until target three is achieved or expiry of this authority whichever is sooner. |


 Delegate of the
 Chief Executive

10/05/2022


- measures of success of restoration with comparison to application material and available literature.

(b) If there is a lack of successful oyster recruitment identify the reasons for this and proposed actions (if any) to address these; and

(c) If a natural catastrophic event such as, but not limited to, flooding, sediment plumes, heatwaves or disease occurs that could delay, impact or prevent successful oyster recruitment, then the authority holder should document this event including pertinent details of how the event has impacted restoration areas and evidence of the effect of the event on oyster recruitment or survival.

SCHEDULE OF FEES

<u>Date Paid</u>	<u>Amount</u>	<u>Receipt No.</u>	<u>Fee Type</u>
19 August 2021	\$636.95	1400172332	Assessment fee - Level 1


10/05/2022.
Delegate of the
Chief Executive

